

## MEMORIAL OF DELEGATES FROM CHEROKEE NATION.

MARCH 29, 1900.—Referred to the Committee on Indian Affairs and ordered to be printed.

Mr. JONES, of Arkansas, presented the following

**MEMORIAL OF THE DELEGATES REPRESENTING THE CHEROKEE NATION IN THE CITY OF WASHINGTON, D. C., RELATIVE TO MEMORIAL RECENTLY PRESENTED TO THE SENATE OF THE UNITED STATES, SIGNED BY DAVID MUSKRAT AND OTHERS AS "EXECUTIVE COMMITTEE OF THE COUNCIL OF THE EASTERN CHEROKEES."**

WASHINGTON, D. C., *March 28, 1900.*

*The Honorable the Senate and House of Representatives of the United States of America:*

The undersigned delegates, duly appointed under authority of the acts of the national council of the Cherokee Nation, approved December 5 and December 9, 1899, to represent the interests of said nation before the authorities of the United States respectfully represent:

That their attention has been called to a memorial presented to the Senate of the United States on the 12th day of March, 1900 (Senate Document No. 215, first session, Fifty-sixth Congress), and referred to the Committee on Indian Affairs, signed by David Muskrat, Daniel Gritts, and Frank J. Boudinot as "executive committee of the council of the Eastern Cherokees," in which memorial there is a prayer for the immediate payment to the Eastern Cherokees of the money found due to them, etc.

We desire respectfully to inform the Senators and Representatives in Congress that there is no tribe or band of Indians in the Indian Territory known as the Eastern Cherokees, and that the so-called "council of Eastern Cherokees" has no existence except in the imagination of certain Cherokee citizens. Whatever rights these citizens have they have as citizens and members of the Cherokee Nation, and the Cherokee Nation alone has authority to represent the interests of such citizens and to receive from the Congress of the United States any moneys which may be due the Cherokee Nation.

The sum of money which these so-called Eastern Cherokees claim to be due them is due to the Cherokee Nation, and not to any individual citizens thereof. This will clearly appear by reference to the treaty or agreement between the United States and the Cherokee Nation, which was ratified by the nation January 4, 1892. The accounting made by the experts appointed by the Secretary of the Interior, James A. Slade and Joseph T. Bender, shows that the amount of \$1,111,284.70,

with interest, claimed by said so-called Eastern Cherokees, was due to the Cherokee Nation, and that the nation alone has authority to prosecute said claim and to receive from the Congress of the United States the amount which may be found due at this time.

If any citizens of the Cherokee Nation have any special or exclusive interest in said claim as against other citizens of the nation, such interest can be properly protected in any court having jurisdiction to hear and determine the matter.

The Cherokee Nation has given no authority to persons signing said memorial to represent the nation or any class of its citizens. Any representations or contracts made by the persons signing said memorial will not be binding upon the Cherokee Nation, and no greater consideration should be given said memorial than that which would be given to private individuals.

A bill has been introduced in the Senate (S. 3681) at the present session of Congress, entitled "A bill providing for the payment of the the award of the Secretary of the Interior in favor of the Cherokees, made under the provisions of the act of Congress of March 3, 1893." In this bill it is provided that—

The Secretary of the Treasury is hereby directed to pay the principal and interest of said sum to said Eastern Cherokee Indians per capita, in accordance with the ninth article of the treaty of eighteen hundred and forty-six.

We respectfully suggest that the money to be paid under treaties of the United States is due to the Cherokee Nation, and not to any individual citizens of said nation, and that payment to the nation will alone discharge the obligation of the United States.

In the treaty of 1892 Congress agreed to pay the Cherokee Nation the amount found due at the session of Congress when the award was published, or at the next session thereafter. This promise Congress has hitherto wholly failed to observe.

And your petitioners will ever pray.

L. B. BELL.  
PERCY WYLY.  
JESSE COCHRAN.  
BENJ. HILDEBRAND.